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25 June 2014

**TO:** Bill Peaslee  
General Counsel  
N.C. Department of Administration

**FROM:** Grayson G. Kelley  
Chief Deputy Attorney General

**RE:** Millie E. Hershner v. NC Department of Administration and The NC  
Human Relations Commission  
09 OSP 6538

This memorandum is provided to you pursuant to the requirements of N.C. Gen. Stat. § 114-2.4 in connection with the above-referenced case. The lawsuit was filed by Millie E. Hershner pursuant to N.C. Gen. Stat. Chapter 126, Article 8, State Personnel System. The agency and Millie Hershner propose to settle the case as outlined below.

This office has reviewed the settlement agreement proposed by the parties; during the negotiations, the North Carolina Department of Administration and the NC Human Relations Commissions ("NCDOA") were represented by our office. Under the terms of the proposed agreement, NCDOA will pay Ms. Hershner's attorney a total settlement of \$399,794.38, which includes attorney fees, costs, Petitioner's backpay, and Petitioner's costs for health insurance from August 24, 2009, to April 28, 2014. Petitioner's attorney shall make the appropriate distributions. The case will be resolved by the filing of a consent judgment at the Office of State Personnel.

In accordance with the provisions of N.C. Gen. Stat. § 114-2.4, this memorandum is to advise that this office concurs in the settlement of this case on these terms. A consent judgment incorporating the terms of the proposed agreement and other appropriate releases should be finalized by the parties, and a copy of this memorandum should be maintained with that document in accordance with the terms of the statute. If you have additional questions or need additional information, please do not hesitate to contact me.